

REMARKS

Reconsideration is requested.

Claims 1-27 have been canceled above, without prejudice.

Claims 28-65 have been added. Claim 51 is similar to canceled claim 25. Claim 52 is a product made, for example, by the method of claim 51. Claim 53 is similar to now-canceled claim 22, with the additional recitation disclosed at page 38, lines 27-29 of the specification. Claim 54 is similar to now-canceled claim 23. Claims 55 and 56 provide products made, for example, by the process of claims 53 and 54. Claims 57 to 64 further define the polymer of the claims from which they depend as was previously recited and considered in claim 16. Claim 65 defines the method described, for example, on page 8, line 24 to page 9, line 24 of the specification, as a further embodiment of the disclosed invention. No new matter has been added. Claims 28-50 define methods of regulating the differentiation of hematopoietic cells (claim 28 and claims dependent therefrom) and methods of treating a person suffering from at least one of leukaemia, aplasia and neutropenia (claim 29 and claims dependent therefrom). Claim 28 is described generally, for example, on pages 3-6 of the specification. Claim 29 is described, for example, on page 16, line 25 through page 17, line 29 of the specification. The specific stimulation of CD14 negative/CD15 negative cells is described, for example, at page 4, lines 14-23 of the specification. The use of a mimetic of hyaluronic acid is described on page 9, line 30 through page 10, line 4 of the specification, for example. The recited adjuvant is described, for example, at page 11 and page 38, lines 27-29 of the specification. The exclusion of exogenous cytokine is described, for example, at page 14, lines 18-21 of the specification. The inclusion of an

ICAM1 antibody or fragment is described, for example, at page 16 of the specification. The blasts recited in claims 49 and 50 are described, for example, at page 16 of the specification. No new matter has been added.

The specification has been amended to include the attached formal drawings. Acceptance of the attached formal drawings in the Examiner's next Action is requested.

The title has been amended in response to the Examiner's objection stated in ¶13 on page 2 of the Office Action dated March 11, 2003 (Paper No. 22).

The objection of claim 12 noted in ¶15 of Paper No. 22 is moot in view of the above.

The Section 112, second paragraph rejection of claims 12-26 is moot in view of the above. The pending method claims are submitted to be definite. The pending methods claims include a positive recitation of method steps, as required by the Examiner in ¶17 of Paper No. 22.

The Section 102 rejection of claims 12-16, 20-21 and 26 over EP 295092 is moot in view of the above.

The Section 102 rejection of claims 12-16 and 20-26 over Simon (DE19802540) is moot in view of the above. To the extent now-canceled claim 22, 23 and 25 were rejected, and the subject matter of the same is now recited in claims 51, 53 and 54, the claims are submitted to be patentable over the cited art. Consideration of the following in this regard is requested.

The Examiner has indicated in ¶10 on page 5 of Paper No. 22 that the DE 19802540 reference "teaches the presence of ICAM1 monoclonal antibody in medicinal product [sic] or the presence of anti-Cd44 antibody (see pages 5 and 6 in particular)."

The Examiner's reference to pages 5 and 6 of the reference appear to be a reference to the German language text as the Examiner forwarded a copy of the cited document with the phrase "ICAM-1 ist" highlighted on page 5, line 63 of the German text and the phrase "CD44 ist ein" highlighted on page 6, line 33 of the German text.

The English language translation of DE 19802540 forwarded by the Examiner on April 16, 2003 however indicates on page 17 that the recitations relied upon by the Examiner in the German text are merely a teaching that the receptor for ICAM-1, which is "an almost ubiquitously occurring intracellular adhesion molecule", is present in the dendritic cells produced by the method of the reference. The cited document fails to teach or suggest the inclusion of an ICAM1 monoclonal antibody in a medicinal product but rather apparently teaches, at best, the use of an ICAM1 antibody to detect the presence of ICAM1 as a surface marker for dendritic cells. Similarly, the English language text teaches at page 18 that CD44 receptors were measured as a marker for dendritic cells. There is no motivation in the cited art to have combined the polymer and ICAM1 antibody or fragment or, separately, to have combined the polymer and adjuvant of the presently claimed invention. Moreover, it is unclear from the art why one of ordinary skill in the art would have bound these receptors to produce dendritic cells (i.e., the intended purpose of the cited art) or stimulated hematopoietic cells, as opposed to confirming that dendritic cells were produced.

The cited art fails to anticipate, or make obvious, the presently claimed invention.

The Section 103 rejection of claims 17-19 over EP 295092 or DE 19802540 is moot in view of the above.

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The claims are submitted to be in condition for allowance and a Notice to that effect is requested.

The Examiner is requested to contact the undersigned in the event anything further is required to place the application in condition for allowance.

Respectfully submitted,

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By: _____



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